



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MASSACHUSETTS 02109-3912

**APR 23 2013**

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

**URGENT LEGAL MATTER  
REQUIRES PROMPT RESPONSE**

Mr. Barry Shepard  
Eastern Color and Chemical Company  
35 Livingston Street  
Providence, RI 02904

Re: Clean Air Act Reporting Requirement

Dear Mr. Shepard:

The United States Environmental Protection Agency ("EPA") is evaluating whether the Eastern Color and Chemical Company's ("Eastern") facility located at 35 Livingstone Street in Providence, Rhode Island is in compliance with applicable state and federal requirements under the Clean Air Act ("the Act"). These requirements include: the National Emission Standards for Hazardous Air Pollutant Emissions, Miscellaneous Organic Chemical Manufacturing ("MON NESHAP"), found at 40 CFR Part 63, Subpart FFFF; the National Emission Standards for Hazardous Air Pollutants, Chemical Manufacturing Area Sources, found at 40 CFR Part 63, Subpart VVVVVV; and National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry found at 40 CFR Part 63, Subpart BBBB BBBB.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), authorizes EPA to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether a facility is in compliance with the Act. As a result, within 30 days of receiving this Reporting Requirement, Eastern shall submit the information described in Attachment A to:

Susan Studlien, Director  
Office of Environmental Stewardship  
U.S. Environmental Protection Agency  
5 Post Office Sq. Suite 100 (OES04-2)  
Boston, Massachusetts 02109-3912  
Attn: Abdi Mohamoud, Air Technical Unit

and to

Ted Burns, Supervising Air Quality Specialist  
Division of Air Resources  
Rhode Island Department of Environmental Management  
235 Promenade Street  
Providence, RI 02908-5767  
Attn: Richard A. Younkin

Be aware that if Eastern does not provide the requested information in a timely manner, EPA may order it to comply and may assess monetary penalties under Section 113 of the Act, 42 U.S.C. § 7413. Federal law establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emission data, are not properly the subject of such a claim. If no such claim accompanies the information when EPA receives it, EPA may make the information available to the public without further notice to you.

If you have any questions regarding this Reporting Requirement, please contact Environmental Engineer Abdi Mohamoud at (617) 918-1858, or have your attorney call Senior Enforcement Counsel Thomas T. Olivier at (617) 918-1737.

Sincerely,

Susan Studlien, Director  
Office of Environmental Stewardship

Enclosures

cc: Ted Burns, RI DEM

## **Attachment A: EPA Reporting Requirement for Eastern Color**

Provide a separate numbered response to each numbered paragraph or subparagraph below.

1. Provide the following information about Eastern:
  - a. Describe the ownership and business structure;
  - b. Indicate the date and state of incorporation;
  - c. List any partners or corporate officers;
  - d. List any parent and subsidiary corporations and any related business entities; and
  - e. Indicate the number of employees currently employed by Eastern;
2. Provide facility-wide **actual** annual volatile organic compound (VOC) and hazardous air pollutant (HAP) emissions from January 1, 2010 through December 31, 2011, in tons. Include the following information in spreadsheet format (see attached sample spreadsheet with VOC and HAP worksheets).
  - a. The name of each raw material;
  - b. The name of each VOC and/or HAP in each raw material;
  - c. The amount of raw material used (in lbs);
  - d. The mass fraction of each individual VOC and/or HAP in each of these raw materials (in lbs of VOC and/or HAP per lb of raw material); and
  - e. The total mass of each individual VOC and/or HAP in the raw material (in lbs of VOC and/or HAP);
  - f. Total amount of VOC and/or HAP emitted (in lbs of VOC and/or HAP). Note this may be the same as the total mass of VOC and/or HAP in the raw material. If not, describe in detail any presumptions made in correlating the usage data with emissions.
  - g. In these calculations, include emissions from:
    - i. All operational solvents and raw materials used in the production of products which contain VOCs and/or HAPs;
    - ii. All cleaning agents used on-site (for both process cleaning and facility-wide cleaning), which contain VOCs and/or HAPs; and
    - iii. All fuel burning equipment.
3. Provide facility-wide **potential** annual VOC and HAP emissions from January 2011 to December 2012, in tons/year, lbs/hour and lbs/day. Include emissions from:
  - a. All operational solvents and raw materials used in the production of products which contain VOCs and/or HAPs;
  - b. All cleaning agents used on-site (for both process cleaning and facility-wide cleaning), which contain VOCs and/or HAPs; and
  - c. All fuel burning equipment.

The following document may serve as a resource in calculation of potential to emit VOC and HAP from batch processing operations: August 29, 1996 Memorandum from John S. Seitz, Director of Office of Air Quality Planning and Standards, entitled "Clarification of Methodology for Calculating Potential to Emit for Batch Chemical Production Operations." See: <http://www.epa.gov/region07/air/title5/t5memos/socma820.pdf>

4. Specify the location, capacity and date of installation of all reactors and/or mixing vessels used at the Eastern facility.
5. For each reactor and/or mixing vessel used by Eastern, describe the stages of production including, but not be limited to:
  - a. raw material handling;
  - b. batch reaction;
  - c. blending and/or compounding processes;
  - d. cleaning of vessels and mixing blades post production; and
  - e. product transfer to containers.

Provide documentation to support any limitations, and provide quantification on these limitations, as feasible.

6. State whether you use as feedstock, generate by-products, or produce as products any of the HAPs listed in Table 1 of 40 CFR Part 63, Subpart VVVVVV. If so, provide supporting documentation.
7. State whether your facility manufactures chemical preparations containing metal compounds of chromium, lead, manganese or nickel. If so, provide supporting documentation.
8. Describe the air pollution control equipment in use at your facility, including but not limited to the liquid scrubber. At a minimum, provide the following information:
  - a. make and model number;
  - b. throughput capacity of the device (e.g., gals/hour, cubic feet per hour);
  - c. manufacturer's performance specifications, including any operating manuals;
  - d. materials used in the scrubber, both packing and liquid;
  - e. date of installation and/or any modifications to the device;
  - f. date and description of most recent maintenance of the device; and
  - g. results of any performance testing conducted on the device.

9. Provide copies of all correspondence Eastern has had with state and/or federal environmental agencies regarding emissions of air pollution at its facility, including, but not limited to, copies of:
  - a. All permit applications;
  - b. All permits issued; and
  - c. Any requests for permit modifications.

END ATTACHMENT A